

CSC

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

08 FEB 20 AM 9:48

UNITED STATES OF AMERICA,

Plaintiff,

v.

Luis Raymundo MARTINEZ-Reza

Defendant.

Magistrate Case No.

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Sec.

1324(a)(2)(B)(ii) -

Bringing in Alien(s) For

Financial Gain

Title 18, U.S.C., Section 2-

Aiding and Abetting

The undersigned complainant, being duly sworn, states:

That on or about **February 19, 2008**, within the Southern District of California, defendant **Luis Raymundo MARTINEZ-Reza**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, **Elvia Marina IBARRA-Galindo** had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien for the purpose of commercial advantage and private financial gain; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(ii).

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
Sara Esparagoza, United States Customs
and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **20th** DAY OF **February 2008**.


UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

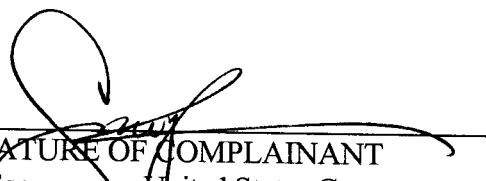
The complainant states that **Elvia Marina IBARRA-Galindo**, is a citizen of a country other than the United States; that said alien has admitted she is deportable; that her testimony is material; that it is impracticable to secure her attendance at trial by subpoena; and she is a material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.


On **February 19, 2008** at approximately **11:25 PM**, **Luis Raymundo MARTINEZ-Reza (Defendant)** was waiting to make application for admission into the United States at the San Ysidro Port of Entry as the driver of a white Mazda 626. While conducting pre-primary inspections, a Customs and Border Protection (CBP) Officer made contact with Defendant and his two female passengers. Upon questioning, Defendant twice stated he was not bringing anything from Mexico and presented. Defendant presented a photo-altered DSP-150 Laser Visa card bearing the name Jose Francisco HANDALL-Molina. The two female passengers also presented photo-altered DSP-150 Laser Visa cards; one bearing the name Maria Isabel SAPIENS-Ramos and the other bearing the name Jazmin ALVAREZ-Garcia. The CBP Officer determined that Defendant and the two female passengers had altered documents. The vehicle and its occupants were subsequently referred to secondary for further inspection.

In secondary, Defendant and the two female passengers admitted to their true identities. All three were determined to be citizens of Mexico without legal documents to enter the United States. One of the female passengers was retained as a Material Witness and is now identified as **Elvia Marina IBARRA-Galindo (Material Witness)**.

During a videotaped proceeding, Defendant was advised of his Miranda Rights. Defendant acknowledged his rights and elected to answer questions without an attorney present. Defendant admitted he does not possess legal documents to enter the United States and that he knew the document he presented belonged to another person. Defendant further stated he knows it is illegal to use a document lawfully issued to another. Defendant admitted a man named "Carlos Alvarez" provided him with the altered DSP-150 Laser Visa card he presented as his and the vehicle, already occupied by the two female passengers. Defendant admitted he knew his two female passengers did not have legal documents to enter the United States. Defendant stated "Carlos Alvarez" was going to pay him \$500.00 for smuggling the two individuals into the United States. Defendant stated he was instructed to drive the vehicle to the intersection of Main Street and Broadway Avenue in Chula Vista, California.

A videotaped interview was conducted with Material Witness. Material Witness stated she is citizen of Mexico without documents to lawfully enter or reside in the United States. Material Witness stated her husband made the arrangements with a subject named "El Guero" for her to be smuggled into the United States for \$3000.00 USD. Material Witness stated she intended to travel to Santa Ana, California to reunite with family.


SIGNATURE OF COMPLAINANT
Sara Esparagoza, United States Customs
and Border Protection Enforcement Officer


UNITED STATES MAGISTRATE JUDGE